UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/844,885	04/27/2001	Jeremy White	01-04-1632	1759

23388   7590   08/12/2004

TROJAN LAW OFFICES
9250 WILSHIRE BLVD
SUITE 325
BEVERLY HILLS, CA   90212

EXAMINER
COFFY, EMMANUEL

ART UNIT	PAPER NUMBER
2157	

DATE MAILED: 08/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/844,885	WHITE, JEREMY
	Examiner	Art Unit
	Emmanuel Coffy	2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>*27 April 2001*</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>*1-20*</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>*1-20*</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>*27 April 2001*</u> is/are: a)☐ accepted or b)☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to the application filed on 27 April 2001. Claims 1-20 are

pending. Claims 1-20 are directed to a method for a "Synchronizing Hotspot Link Information

With Non-Proprietary Streaming Video."

Specification

2   The Abstract of the disclosure is objected to because it begins with language that can be

implied. Correction is required. See MPEP § 608.01 (b).

The language should be clear and concise and should not repeat information given in the title. It

should avoid using phrases which can be implied, such as, "The disclosure concerns," "The

disclosure defined by this invention," "The disclosure describes etc..."

In this case the language:" The present invention is " can be implied.

Drawings

3.   The informal drawings are not of sufficient quality to permit examination. Accordingly,

replacement drawing sheets are required in reply to this Office action. The replacement sheet(s)

should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to

obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the

applicant will be notified and informed of any required corrective action in the next Office

action.

Applicant is given a TWO MONTH time period to submit new drawings in compliance

with 37 CFR 1.81. Extensions of time may be obtained under the provisions of 37 CFR

1.136(a). Failure to timely submit replacement drawing sheets will result in **ABANDONMENT**

of the application.

Claim Objections

4.   Claims 9 and 10 are objected to because of the following minor informalities.

They are dependent claims, which claim dependency on claim 4. A claim that depends from a

dependent claim should not be separated by any claim that does not also depend from said

dependent claim. It should be kept in mind that a dependent claim may refer to any preceding

independent claim. In general applicant's sequence will not be changed. See MPEP §608.01(n).

Appropriate correction is required.

5.   Claim 1 at line 19 includes a coma after the word "and", the coma should be removed. A

claim should be terminated by a period. A semicolon at line 19 terminates claim 4. A semicolon

also terminates claims 14, 15, 18, 19. A colon (:) should terminate the preamble of claim 20 at

line 2 following comprising. Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6.   <u>Claims 1-20 are rejected under 35 U.S.C. §103(a) as being unpatentable over Belknap et</u>

<u>al. (US 6,763,377) in view of Astiz et al. (US 5,918,012.) and in further view of Dunlap et al.</u>

<u>(US 6,760,749).</u>

     Belknap substantially teaches the invention as claimed including a process of managing

media data in a network. (See abstract).

As for claim 1, Belknap substantially teaches the method of claim 1 including delivering to a user's computer an interactive streaming video from a web site on the Internet comprising the following steps: (See Fig. 1)

accessing said web site from said user's computer; (See col. 5, lines 14-35).

running a hotspot applet automatically on said user's computer when said user accesses said web site; downloading hotspot data automatically from said web page to said user's computer, said hotspot data containing instructions for vertical, horizontal and temporal coordinates for each hotspot for streaming video that is accessible from said web site; (See col. 5, lines 38-44).

streaming said streaming video from said web site to said user's computer using a video playback application; (See col. 5, 49-54).

synchronizing said hotspot data with said streaming video in accordance with said vertical, horizontal and temporal coordinates using said hotspot applet; and,

whereby said user may watch said streaming video and click on hotspots without the need for installing a separate plug-in to interpret hotspot data contained in a combined video and hotspot data stream.

Belknap does not expressly disclose synchronizing hotspot data with streaming video. However, Dunlap teaches synchronously integrating the presentation content into the encoded stream. (See col. 6, lines 48-50). Additionally, Dunlap discloses the use of JPEG or GIF files that are supported by HTTP and do not require the need for special plug-in applications. (See col. 7, lines 3-7). This system is preferable in that it does not require special plug-in applications to view the video stream.

Neither Belknap nor Dunlap expressly teach about Cartesian coordinates; However, Astiz suggests sending time, x, and y coordinates to the server and interpreting hotspot data contained in a combined video and hotspot data stream. (See col. 4, lines 63-67 and col. 3, lines 49-52). Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the use of transmitting an applet disclosed by Belknap with the synchronization process disclosed by Dunlap and hotspot interpretation as disclosed by Astiz. This system is preferable in that it provides for personal interaction between a user and the associated video streaming while the video can be distributed to a large audience in real time Therefore, claim 1 is rejected.

Claim 2:

Belknap teaches the method of claim 1, wherein the hotspot data pauses the video playback before performing designated instructions. (See Fig. 16).

Belknap expressly teaches pausing the video playback (See Fig. 16) but fails to disclose hotspot. However, Astiz expressly discloses the use of hot spot at col. 4, lines 63-66.

Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the use of pausing video playback disclosed Belknap with hotspot data as disclosed by Astiz. This system is preferable in that it provides for personal interaction between a user and the associated video streaming. Therefore, claim 2 is rejected.

Claim 3:

Claim 3 recites the method of claim 2, wherein said designated instructions comprise one or more of the following: open a CLICKSHADOW, open a new frame, open a new browser

window, open a new web page, open new multimedia files, open an electronic mail application, open an application.

Since this claim recites one <u>or</u> more of designated instructions and each instruction in the list is delimited by a coma, the delimiter is interpreted as meaning or i.e. open a new frame or open a new browser window.

Belknap explicitly teaches the method of claim 3 at col. 38, lines 5-7.

Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to use this user interface disclosed Belknap. Therefore, claim 3 is rejected.

Claim 4:

Belknap substantially teaches the method of claim 4 including a system for using hotspot data synchronized with streaming video playback application comprising: (See Fig. 1).

a streaming video, said streaming video played back in a video playback application; (See col. 24, lines 42-50 and Fig. 16).

a hotspot applet, said hotspot applet having the capability to decode said hotspot data and synchronize said hotspot data with said streaming video on playback;

said hotspot data exists as a separate file from said streaming video, to be synchronized with said Internet streaming video playback;

a web page containing links to said hotspot data, and said streaming video.

Belknap does not expressly disclose synchronizing hotspot data with streaming video. However, Dunlap teaches synchronously integrating the presentation content into the encoded stream. (See col. 6, lines 48-50). This system is preferable in that it can be distributed to a large audience in real time.

Neither Belknap nor Dunlap expressly disclose sending time, x, and y coordinates. However, Astiz suggests sending time, x, and y coordinates to the server and interpreting hotspot data contained in a combined video and hotspot data stream. (See col. 4, lines 63-67 and col. 3, lines 49-52). Astiz further teaches a web page containing links to said hotspot data, and said streaming video. (See col. 6, lines 37-50). Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the use of transmitting an applet disclosed by Belknap with the synchronization process disclosed by Dunlap and hotspot interpretation as disclosed by Astiz. This system is preferable in that it provides for personal interaction between a user and the associated video streaming. Therefore, claim 1 is rejected.

Claim 5:

Claim 5 recites the system of claim 4, wherein said web page is accessed through a user's computer.

Belknap discloses a networked computer system, including end user terminals communicatively coupled with a server via an Internet Protocol (IP). The system disclosed by Belknap makes use of Web browser accessing Web pages. (See col. 8, lines 22-53 and col. 11, lines 8-37). Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to use the access disclosure taught by Belknap. Therefore, claim 5 is rejected.

Claim 6:

Claim 6 recites the system of claim 5, wherein said hotspot data corresponds to horizontal, vertical and time coordinates in said streaming video playback.

Belknap does not expressly suggest horizontal, vertical and time coordinates in streaming

video playback. However, Astiz explicitly teaches transmission of X and Y , and time

coordinates to the server for playback. (See col. 8, lines 6-9). Hence, it would have been obvious

at the time of the invention for an artisan of ordinary skill in the art to use the Cartesian

coordinates disclosure taught by Astiz. Such a system enables a user to enjoy video on-demand.

Therefore, claim 6 is rejected.

Claim 10:

Claim 10 recites the system the system of claim 4, wherein said web page is accessed

through a user's television Internet access device.

Neither Belknap nor Astiz suggest the use of a user's television Internet access device to

access the web page. However, Dunlap discloses the use of a view station. (See Fig 1). Hence, it

would have been obvious at the time of the invention for an artisan of ordinary skill in the art to

combine the teachings of Belknap and Astiz with view station disclosure made by Dunlap. This

feature would make the invention very adaptable to different platforms. Therefore, claim 10 is

rejected.

Claim 15

The limitations of claim 15 that are deemed to have been addressed because they do not

teach or define any significantly new limitations above and beyond claims 1-10 are rejected for

similar reasons; whereas those not previously addressed (underlined) are paid particular

treatment.

Claim 15 recites a computer that receives streaming video and a separate hotspot data and synchronizes said hotspot data to streaming video during said streaming video playback comprising:

said computer having a pointing device capable of issuing a click command; (Dunlap col. 5, lines 32-34; Astiz col. 3, lines 49-60).

said computer capable of receiving said hotspot data contained in a text file through said Internet and storing said hotspot data text file in a cache; (Astiz col. 3, lines 49-60; Dunlap col. 12, lines 53-59).

said computer capable of identifying the number of frames per second in said streaming video; (Astiz col. 7, lines 23-25).

said computer capable of identifying the playback time of the streaming video; (Belknap col. 42, lines 15-20).

Belknap discloses an end user terminal communicatively coupled with a server (the administrator terminal) via an Internet Protocol (IP) network. (See col. 8, lines 15-20). It is implicit that a terminal capable of accessing the Internet is equivalent to a computer. Be that as it may, both Astiz and Dunlap extensively teach the recitation of a computer accessing the Internet. Dunlap went as far as specifying a computing device, which includes a central processing unit (CPU) such as an Intel Pentium µprocessor (See col. 5, lines 18-34) and miscellaneous input/output devices such as trackballs, mice etc...

Belknap further discloses playback duration program at col. 42, lines 15-18. Belknap fails to disclose storing hotspot data in cache or having a pointing device capable of issuing a click

command. However, Dunlap prominently discloses storing data in cache at col. 12, claim 13.

This system allows to issue a command via a pointing device.

Neither Belknap nor Dunlap expressly disclose the use of a pointing device. However,

Astiz does so throughout. (See col. 3, lines 19-20, 40-45; col. 6, lines 64-67). Furthermore, Astiz

discloses identifying the number of frames per second in said streaming video at col. 7, lines 24-

25. Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill

in the art to combine the teachings of Belknap and Astiz with storing data in cache as disclosed

by Dunlap.

This system is preferable in that it provides for personal interaction between a user and

the associated video streaming while the video can be distributed to a large audience in real time.

Therefore, claim 15 is rejected.

Claim 18:

Belknap substantially teaches the invention of claim 15, wherein said computer capable

of processing said hotspot data with said hotspot applet and generating a MOUSESHADOW of

said streaming video playback where said hotspot is designated whenever said pointing device

passes over said area with hotspot data.

Belknap teaches transmission of the applet to the server via the network. (See col.

5, lines 38-40). Belknap does not expressly suggest processing hotspot data with the applet to

generate a MOUSESHADOW. However, Astiz teaches the creation of a map to observe the

moving objects that occur in the .AVI formatted video. (See col. 8, lines 20-38). Hence, it would

have been obvious at the time of the invention for an artisan of ordinary skill in the art to

combine the teachings of Belknap with Astiz's disclosure of creating a Mouseshadow. The

system creates a map file, which records the location of the hot spots of each frame of the video enabling the user to recall any image of an interest instantaneously. Therefore, claim 18 is rejected.

Claim 19:

Belknap substantially teaches the invention of claim 18, wherein said computer capable of generating a CLICKSHADOW from information contained in the hotspot data text file, said CLICKSHADOW comprising: multimedia, images, video, audio, text;

Belknap teaches transmission of the applet to the server via the network. (See col. 5, lines 38-40). Belknap does not expressly suggest processing hotspot data with the applet to generate a Clickshadow. However, Astiz teaches using a script capable of retrieving the map and running its program on the map data to be able to identify an assigned URL for a particular X-Y-time based hot spot. Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the teachings of Belknap with Astiz's disclosure of creating a Clickshadow. The system creates a map file, which records the location of the hot spots of each frame of the video enabling the user to click on any image of an interest and instantaneously recall the image. Therefore, claim 19 is rejected.

Claim 20:

Claim 20 recites a method of programming hotspot data for use by a hotspot applet to synchronize the hotspot data with the streaming video playback of non-proprietary video on a non-proprietary video playback application, comprising:

deconstructing a non-proprietary streaming video file into its component frames;

selecting beginning frames at which to start the coding and groups the frames for coding relevant hyperlinks;

coding relevant hotspot data corresponding to appropriate targets contained in said component frames, said hotspot data corresponding to horizontal, vertical and temporal coordinates;

processing said selected beginning frames and said selected groups of frames to place hotspot information between the respective frames;

compiling said hotspot data into a text file readable by said hotspot applet, said hotspot applet capable of synchronizing said hotspot data with non-proprietary video playback on said nonproprietary video playback application.

Belknap teaches transmission of the applet to the server via the network. (See col. 5, lines 38-40). Belknap does not expressly suggest creating and distributing streaming video. However, Dunlap extensively teaches creation, distribution, synchronization and encoding of streaming video. (See col. 6, line 28 through col. 7, line 35). Additionally, Astiz suggests sending time, x, and y coordinates to the server and interpreting hotspot data contained in a combined video and hotspot data stream and taking a script in C language program to produce a text file readable by the applet. (See col. 4, lines 63-67; col. 3, lines 49-52 and col. 10, lines 7-20). Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the use of transmitting an applet disclosed by Belknap with the creation, distribution, synchronization and encoding of streaming video process disclosed by Dunlap and hotspot interpretation, C language program compilation as disclosed by Astiz. This system would enhance user interaction. Therefore, claim 20 is rejected.

<u>Claims 7-9, 16-17</u>

These claims do not teach or define any significantly new limitation above and beyond

claims 1-10 to warrant particular treatment, and are therefore further rejected for similar reasons.

Conclusion

7.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Emmanuel Coffy whose telephone number is (703) 305-0325.

The examiner can normally be reached on 8:30 - 5:00 P.M.
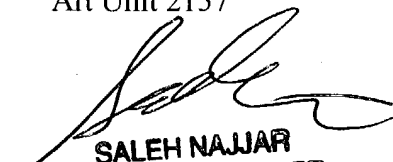
If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ario Etienne can be reached on (703) 308-7562. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Emmanuel Coffy
Patent Examiner
Art Unit 2157

SALEH NAJJAR
PRIMARY EXAMINER

***
EC
July 22, 2004